

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
DOI-BLM-CO-SO50-2015-0045 CX**

November 2015

Joe Cisler Grazing Preference Transfer

Location: Delta County, Colorado

**U.S. Department of the Interior
Bureau of Land Management
Uncompahgre Field Office
2465 South Townsend Avenue
Montrose, CO 81401
Phone: (970) 240-5300**



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CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-S050-2015-0045 CX

PROJECT NAME: Cisler Grazing Preference Application for the Needle Rock Allotment

LEGAL DESCRIPTION: SW1/4 of the SE1/4 and within the NW1/4 of the SE1/4 of Section 23, Township 15 South, Range 91 West of the 6th P.M.

APPLICANT: Joe Cisler

BACKGROUND: BLM records show that grazing preference and base property for the Needle Rock allotment #14542 (Figure 1) was held by the West Ridge Group LLC until November, 23, 2010 at which time the base property was sold or foreclosed on. The grazing privileges were not applied for at that time and according to CFR 4110.2-3(b) "If base property is sold or leased the transferee shall within 90 days of the date of sale or lease file with the authorized officer a properly executed transfer application..." since that was not completed this allotment was considered vacant at the end of the 90 day application period. Joe Cisler, a land owner adjacent to the allotment, has applied for the grazing privileges.

The transfer of grazing preference is considered administrative in nature and serves to transfer livestock grazing privileges, with the same class of livestock and forage allocation, from one grazing preference holder to another. Approval of grazing preference transfers are outlined in 43 CFR 4110.2-1(d) and 4110.2-3.

DESCRIPTION OF PROPOSED ACTION:

The proposed action is to transfer the grazing preference to a property owned by Joe Cisler. The result of the proposed action is base property for Needle Rock Allotment # 14542 would be transferred to a 35 acre property known as the Cisler Ranch. The base property proposed by Joe Cisler has been found to be qualified base property, and Joe Cisler has been found to be qualified applicant in good standing.

The grazing allotment involved and the associated grazing preference and season of use are summarized in the table below. The proposed action is compliant with 43 CFR 4110.2-1(d) and 4110.2-3.

Allotment Name & No.	Livestock Kind	Percent Public Land	Active AUM's	Suspended AUM's	Permitted AUM's	Permitted Season of Use
Needle Rock #14542	Horses	100	8	0	8	5/15 – 9/15

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: Uncompahgre Basin Resource Management Plan and Record of Decision.

Date Approved: September 8, 1988

Decision Number/Page: Page 28

Decision Language: Uncompahgre Basin Resource Management Plan guidance states “In general, the public lands in Management Unit 16 will be managed according to the policy assumptions and standard resource program management guidance developed for the RMP.” The RMP states on page 11, “Suitable public lands will be available for livestock grazing use.”

The proposed action has been reviewed for conformance with these plans (43 CFR 1610.5, BLM 1617.3).

CATEGORICAL EXCLUSION REVIEW: The proposed action qualifies as a Categorical Exclusion under 516 DM 11.9, Number D.1, which allows “approval of transfers of grazing preference”. This is the administrative approval of grazing preference transfer applications.

None of the following exceptions in 516 DM 2, Appendix 2, apply.

- | Exclusion | YES | NO |
|--|-------|----------------------|
| 1. Have significant adverse effects on public health and safety. | _____ | _____ <u>X</u> _____ |
| 2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas. | _____ | _____ <u>X</u> _____ |
| 3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. | _____ | _____ <u>X</u> _____ |
| 4. Have highly uncertain and potentially significant environmental | | |

- effects or involve unique or unknown environmental risks. _____ X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. _____ X
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects. _____ X
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places. _____ X
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species. _____ X
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. _____ X
10. Have disproportionately high and adverse effect on low income or minority populations. _____ X
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. _____ X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species. _____ X

INTERDISCIPLINARY REVIEW:

<u>Name</u>	<u>Title</u>
Glade Hadden	Archeologist
Melissa Siders	Wildlife Biologist

REMARKS:

Cultural Resources: There are no known Cultural Resource concerns for this project. Inventory is not required under the provision of BLM Manual 8110.23B4 and Protocol Exemption C-4 (Grazing Preference Transfers) of the 2014 BLM/Colorado State Protocol.

Native American Religious Concerns: There are none known or anticipated for this undertaking.

Threatened and Endangered Species: Transfer of grazing preference will have no direct or indirect impact. There are no animal or plant species listed, proposed, or candidate to the Endangered Species Act that are known to inhabit the areas potentially influenced by the proposed action.

NAME OF PREPARER: Lynae Rogers

NAME OF ENVIRONMENTAL COORDINATOR: Jedd Sondergard

DATE: 9/25/15

DECISION AND RATIONALE:

I have reviewed this Categorical Exclusion and have decided to approve the administrative application of transferring grazing preference on Needle Rock Allotment #14542 to a property owned by Joe Cisler.

There are no impacts to public land since the action only results in an attachment of grazing preference. The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, Section: D, Range Management, Number 1, which allows "approval transfer of grazing preference". I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: _____

Barbara Sharrow

Barbara Sharrow
Field Manager
Uncompahgre Field Office

DATE SIGNED: 9-28-15

Figure 1. Needle Rock Allotment



